

ZONING ORDINANCE AUTOMOBILE TEXT AMENDMENTS

REVISED September 7, 2023

Applicant

City of Warrenville, Community
Development Department

Approvals Sought

Text amendments to the Zoning
Ordinance to consider:

- Create “automobile detailing shop” and “automobile indoor storage” uses in *Table 3A: Permitted and Special Uses in All Zoning Districts*
- Revise the *Definitions* Section of the Zoning Ordinance to include definitions of “automobile detailing shop” and “automobile indoor storage” uses

Supporting Documents

- Proposed Automobile Text Amendments (ATTACHMENT A)
- Tracked Changes Version Proposed Automobile Text Amendments (ATTACHMENT B)

At the May 4, 2023 Plan Commission meeting, staff and commission discussed an all-encompassing automotive special use as an avenue to accommodate changing demands in the auto services related industries. To achieve this, staff proposed to create an all-encompassing auto special use in the B-4 Motorist Service District for motor vehicle services. The proposed use aimed to be flexible enough to permit motor vehicle service related uses without enumerating each use. After consultation with the City Attorney, the flexibility to accommodate many auto service related uses in one special use is not feasible without drawbacks. Creating a flexible automotive special use could permit uses such as auto wreckers or auto manufacturers within the City. Alternatively, creating a new special use and defining it with strict parameters to exclude undesirable uses would be similar to how the code regulates auto related uses currently. This approach would also require the use definition to be updated whenever the City wants to permit new motor vehicle service related uses.

Based on this feedback received from the City Attorney, staff is proposing to add “automobile detailing shop” and “automobile indoor storage” as uses in *Table 3A Permitted and Special Uses in All Zoning Districts* and define these uses in the *Definitions* section. This proposal is based on feedback received at the March 9, 2023 and May 4, 2023 Plan Commission meetings regarding this matter and repeated interest from stakeholders in opening these types of businesses.

A legal notice of public hearing for these text amendments was published in the *Daily Herald* newspaper on April 19, 2023. The public hearing began at the May 4, 2023 PC/ZBA meeting and was continued to the June 22 meeting and to the July 20, 2023 meeting. A legal notice with an updated intended scope of amendments was published in the *Daily Herald* on August 23. It is important to note that this staff report does not currently reflect any public input that may be received during this September 7, 2023 public hearing, and therefore should be reviewed with this in mind. Any additional information concerning the application that might be provided up to and at the September 7, 2023 public hearing will need to be reviewed and taken into consideration.

The Plan Commission recommends action to the City Council on Zoning Ordinance text amendments.

ANALYSIS

The proposed text amendments include modifying to the use table to permit “automobile detailing shops” and “automobile indoor storage” as special uses in the B-4 Motorist Services district. Permitting these

uses as special uses would be consistent with how other motor vehicle services uses are regulated and with feedback received from the Plan Commission during the public hearing process. The proposed text amendments would change add the following to *Table 3A Permitted and Special Uses in All Zoning Districts*:

Land Use	Most Restrictive (Lowest Numbered) Districts Use is a Permitted Use in	Most Restrictive (Lowest Numbered) Districts Use is a Special Use in
Automobile detailing shop		B4
Automobile indoor storage		B4

Further, to accompany these newly enumerated uses, staff, in consultation with the City Attorney, is proposing the following use definitions to be added to the *Definitions* Section of the Zoning Ordinance:

AUTOMOBILE DETAILING SHOP: A business establishment that makes aftermarket modifications to motor vehicles or parts of motor vehicles within a completely enclosed building, including, but not limited to, vinyl wrapping, painting, and other aesthetic modifications, but specifically excluding those services or other activities that constitute an *AUTOMOBILE REPAIR SHOP*, *AUTOMOBILE SERVICE STATION*, or *AUTOMOBILE BODY SHOP*.

AUTOMOBILE INDOOR STORAGE: A business establishment where the storage of passenger vehicles, completely enclosed within buildings, is the principal use

The Definitions above are formulated by staff and the City Attorney based on existing definitions in the Zoning Ordinance and the intent of the use. Referencing other automobile related uses, all of which being special uses in the B4 district, is included to differentiate those businesses doing detailing type work and those business engage in the repair or maintenance of vehicles.

For reference, the existing definitions of Automotive Repair Shop, Automobile Service Station, and Automobile Body Shop are listed below and will remain the same:

AUTOMOBILE REPAIR SHOP: A premises primarily used for the commercial repair, rebuilding, or reconditioning of motor vehicles or parts thereof, wholly within enclosed buildings, including repairs that normally require vehicles being repaired to be stored on the premises overnight. Automobile repair shops include transmission shops, muffler shops, brake shops, rustproofing shops, auto glass shops, and the like.

AUTOMOBILE SERVICE STATION: A facility or premises primarily used for retail sale of fuels or oils for automobiles, trucks, or boats and which may include as a secondary activity retail sale of tires, batteries, and similar accessories and the making of repairs to vehicles

or parts thereof that do not normally require storing such vehicles on the premises overnight.

AUTOMOBILE BODY SHOP:

A business establishment where collision service such as body, frame, or fender straightening or repair, painting of more than 10 percent of the surface of a vehicle, or upholstery is conducted wholly within an enclosed building.

The City Code does not provide a definition for “passenger vehicle”, but they are generally known as passenger vehicles, including electric powered cars and vehicles, minivans, sports utility vehicles, jeeps, motorcycles, vans, and trucks with a load capacity of 1,500 pounds or less. The City Code does provide definitions for motor and commercial vehicles:

MOTOR VEHICLE

Any vehicle which is self-propelled. For the purpose of this title motor vehicles as a class shall be divided into two (2) divisions: a) those vehicles which are designed for the carrying of not more than ten (10) persons; b) those vehicles which are designed for pulling or carrying freight or the carrying of more than ten (10) persons.

COMMERCIAL VEHICLE:

A (i) motorized vehicle other than a passenger car, passenger van, or recreational vehicle used by a household for non-commercial personal or family transportation, for recreation, or for van pooling or ride-sharing use that requires a State vehicle license greater than Class "B," (ii) tow trucks, (iii) vehicles equipped with dump, lift bodies, flat beds, or stake beds, (iv) extended wheel base limousines, (v) boom trucks, (vi) step vans, sprinter vans, panel trucks, and box trucks, (vii) buses, (viii) tractors, (ix) semi-trailers, (x) motorized farm vehicles, (xi) earth-moving equipment, and (xii) open, enclosed, or dump trailers used to haul commercial vehicles or contractors equipment and supplies. See Appendix for graphic illustrations of different forms of Commercial Vehicles.

CONCLUSION

Based on the feedback from the Plan Commission and Zoning Board of Appeals received at the September 7, 2023 public hearing, the Community Development Department staff recommends approval of the following motion:

- ***The Plan Commission recommends City Council approval of the proposed automobile related text amendments as outlined in this September 7, 2023 Community Development Department staff report.***

ATTACHMENTS

ATTACHMENT A: Proposed Automobile Text Amendments

ATTACHMENT B: Tracked Changes Version Proposed Automobile Text Amendments

Land Use	Most Restrictive (Lowest Numbered) Districts Use is a Permitted Use in				Most Restrictive (Lowest Numbered) Districts Use is a Special Use in			
	R1	B2	O1	M1	R1	B2	O1	M1
Adult uses				M1				
Agriculture					R1	B2	O1	M1
Agriculture without animal and/or poultry husbandry	R1	B2	O1	M1				
Airports							O2	M1
Amusement parks *						B4		
Animals farm keeping of — Accessory Use to approved Special Use School								M1
Animal grooming		B2						
Animal hospitals *						B4		
Apparel manufacture				M2				
Appliance repair shops, domestic		B2		M1				
Armories							O2	M2
Arsenals								
Auction rooms		B4						
Auditoriums							O2	M2
Automated teller machines		B2	O1	M1				
Automobile & truck rental		B2						
Automobile detailing shop						B4		
Automobile indoor storage						B4		
Automobile laundries *						B4		M2
Automobile repair shops						B4		M2
Automobile sales (no open sales lot) *		B4		M2		B2		
Bakeries (plants)				M2				
Bakery distribution centers with or without Bakery Outlet stores				M1				
Banks		B2	O1	M1				
Barber shops		B2						
Bars & taverns		B2						M2
Bars with live entertainment or dancing		B2						
Bars, no live entertainment or dancing		B2						
Beauty shops		B2						
Bed & breakfast lodging					R1	B2	O1	M1
Bicycle sales, rental, and repair		B2						
Blueprinting & photostating shops		B2		M1				
Boat repair		B4		M1				
Boat, marine sales—no open sales lot *		B4						
Body shops						B4		M2

DEFINITIONS

purchasers or to qualified medical cannabis patients and caregivers, including a registered medical cannabis organization as defined in the Compassionate Use of Medical Cannabis Pilot Program Act or its successor Act. (Ord. O2019-62, 12-2-19)

- AGRICULTURE:** The use of land for farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, animal and poultry husbandry, and the necessary accessory uses for packing, treating, and storing the produce but not including the commercial feeding of garbage or offal to swine or other animals; provided that the operation of accessory uses shall be secondary to that of normal agricultural activities.
- AIRPORT:** Any public or private land area or other facility designed for the landing and take-off of aircraft, including all taxiways, hangars, airport buildings, and other related structures and open spaces.
- ALLEY:** A public or private right-of-way not constituting a street used primarily for secondary motor vehicle access to property abutting on a street.
- ALTERATION:** Any change in the size, shape, character, occupancy, or use of a structure.
- ALTERATION,
STRUCTURAL:** *SEE STRUCTURAL ALTERATION*
- ANIMAL HOSPITAL:** A building or portion thereof designed or used for the care, observation, and medical treatment of animals commonly used as household pets.
- ANTENNA HEIGHT:** The height of an antenna measured from the ground level at the lowest grade level within three feet of any part of the antenna.
- APARTMENT HOTEL:** *SEE HOTEL, APARTMENT*
- ARBORICULTURAL and
OPEN SPACE MANUAL:** The document "Arboricultural and Open Space Manual for the City of Warrenville, Illinois". This manual is prepared and maintained by the Warrenville Environmental Advisory Commission. It sets forth regulations and standards for the selection, planting, maintenance, and removal of trees, shrubs, or other plants upon City-owned property. (Ord. 2392, 8-20-07)
- AUTOMOBILE BODY
SHOP:** A business establishment where collision service such as body, frame, or fender straightening or repair, painting of more than 10 percent of the surface of a vehicle, or upholstering is conducted wholly within an enclosed building.
- AUTOMOBILE DETAILING
SHOP:** A business establishment that makes aftermarket modifications to motor vehicles or parts of motor vehicles within a completely enclosed building, including, but not limited to, vinyl wrapping, painting, and other aesthetic modifications, but specifically excluding those services or other activities that constitute an AUTOMOBILE REPAIR SHOP, AUTOMOBILE SERVICE STATION, or AUTOMOBILE BODY SHOP.

DEFINITIONS

AUTOMOBILE INDOOR STORAGE:	A business establishment where the storage of passenger vehicles, completely enclosed within buildings, is the principal use.
AUTOMOBILE LAUNDRY:	A permanent commercial facility where motor vehicles are washed--by hand, by mechanical devices, or both--excluding temporary car washes organized for civic or charitable purposes.
AUTOMOBILE SERVICE STATION:	A facility or premises primarily used for retail sale of fuels or oils for automobiles, trucks, or boats and which may include as a secondary activity retail sale of tires, batteries, and similar accessories and the making of repairs to vehicles or parts thereof that do not normally require storing such vehicles on the premises overnight.
AUTOMOBILE REPAIR SHOP:	A premises primarily used for the commercial repair, rebuilding, or reconditioning of motor vehicles or parts thereof, wholly within enclosed buildings, including repairs that normally require vehicles being repaired to be stored on the premises overnight. Automobile repair shops include transmission shops, muffler shops, brake shops, rustproofing shops, auto glass shops, and the like.
AUTOMOBILE WRECKING YARD:	<i>SEE WRECKING YARD</i>
AVERAGE GROUND LEVEL:	The average elevation of the natural grade along the exterior of the building taken at four equally spaced points at the building line, as illustrated on the "Average Ground Level Calculation Illustration" attached hereto as an Appendix. (Ord. 2231, 7-21-05)
BASEMENT:	That portion of a structure located partly underground but having less than half its clear floor-to-ceiling height below the mean average grade of the adjoining ground.
BED AND BREAKFAST:	<i>SEE TOURIST HOME</i>
BEDROOM:	Any private room in a dwelling unit suitable for regular use for sleeping purposes. Bedrooms include rooms designated on development floor plans as dens, studies, or libraries but exclude living rooms, family rooms, dining rooms, kitchens, bathrooms, laundry rooms, and mud rooms. Any room designated as other than a bedroom but which in the judgment of the Zoning Administrator would normally be usable for sleeping purposes shall be considered a bedroom.
BERM:	A raised mound of earth planted with vegetative cover and used for landscaping, screening, noise reduction, or other purposes.
BLOCK:	A tract of land bounded by streets or by a combination of one or more streets and public parks, cemeteries, railroad rights-of-way, bulkhead lines or shore lines of waterways, or corporate boundary lines.
BOARDING HOUSE:	<i>SEE ROOMING HOUSE</i>

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